Case 6:23-cv-00012-NKM-CKM Document 28-3 Filed 12/28/23 Page 1 of 10 Pageid#: 199 CONFIDENTIAL

	Agency Name							7	INCIDENT/INVESTIGATION INTERNAL COPY						Ca	Case#			
	Lynchburg Police Department							$_{t}$								2021-003502 Date / Time Reported			
I N	ORI <i>VA1140000</i>																03/11/2021	15:03 Thu	
C	Location of Incident								Premise Type			7	Zone/Tract				own Secure 03/11/2021	13:03 Thu	
I D	1927 GRACE ST, Lynchburg VA 24504 Crime Incident(s)								- \	Highway/road/alley SD, LPD				Found	03/11/2021	15:03 Thu Activity			
E N	#1		Assault/on Pol Offi						Com)		Tools Per	sonal		ns (har	ıds,	Etc.)			renvity
T		4F	,					F	7	Entry			Exit				Secu	rity	
D A	#2	Cri	me Incid	lent				()	Weapon / Tools								Activity	
T										Entry			Exit				Secu	rity	
A	#3	Cri	me Incid	lent				(()	Weapon / Tools									Activity
	πЭ									Entry			Exit				Secu	rity	
МО																			
	# of Victims 1 Type: LAW ENFORCEMENT									CER	Injury: Apparent Minor Injury								
3.7	¥7.4			ess Name (Las	t, Firs	t, Middl	e)				Victim of Crime # DOB		Race	Sex	Relatio	elationship Resident Status Bra		Military Branch/Status	
V I	V1	K	EED, S	C							1	Age	21	W	1 1		ciidei	Resident	Branen status
C T	Но		ddress	IIDT CT I.	ua olak	wwo I	VA 2450	1			•			•			Ho	me Phone	•
I M	905 COURT ST , Lynchburg, VA 24504- Employer Name/Address													Bu	Business Phone			Mobile Pho	one
	LYNCHBURG POLICE							COLOR Lic/Lis				VIN							
			Make	Model															
	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)																		
O T	Type: Injury: Code Name (Last, First, Middle) Victim of DOB Race Sex Relationship Resident Status Military Military																		
H E	Crime # Age										rucc	БСЛ	To Off	ender		Branch/Status			
R												me Phone							
S	Employer Name/Address Business Phone Mobile Phone												one						
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V	Type: Injury: Code Name (Last, First, Middle) Victim of DOB Race Sex Relationship Resid											Resident Status	Military						
O L											Crime #	Age				To Off			Branch/Status
V E	Home Address								1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					Home Phone		1			
D													Business Pho			Dhono		Mobile Pho	
	Employer Name/Address																one -		
	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)																		
	VI Code Frm/To Value OJ QTY							I	Property Description				Make/Model			/lodel	Serial I		al Number
	PCA 1 \$0.00 1 2019 GRY,					Υ,	,				TOYT Tundra			5					
P																			
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	Off	icer/II	D#	REED, S. C	. (17	(O)													
		est ID		(0)									Superv			S	MIT	H, B. K. (032)	
Status	Cor	nplair	ant Sign	ature				Case <i>Clea</i>	Status ired B	v Arrest	03/11/2	2021	Case D	ospositi	ion:				Page 1

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INCIDENT/INVESTIGATION REPORT

Lynchburg Police Department

Case # 2021-003502

Statu: Code	s 1 =	None	2 = Burned $3 = C$	ounterfeit / Forged	4 = Damaged / Vandalized $5 = Recovered$ $6 = S$	eized 7 = Stolen 8 = Unknown				
	IBR Status		Quantity	Type Measure	Suspected Type					
D										
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	Assis	ting Of	ficers							
	Suspect Hate / Bias Motivated: None (No bias)									

None (No bias)

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 2021-003502 Lynchburg Police Department NARRATIVE

R_CS2IBR By: JCR, 06/13/2023 10:35 Page 2

Case 6:23-cv-00012-NKM-CKM Document 28-3 Filed 12/28/23 Page 3 of 10 Pageid#: 201

CONFIDENTIAL RE	DODTING OFFICED NADDATINE			
CONFIDENTIAL RE	PORTING OFFICER NARRATIVE	OCA		
Lynchburg Police Department		2021-003502		
Victim	Offense	Date / Time Reported		
REED, S C	ASSAULT/ON POL OFFI	Thu 03/11/2021 15:03		

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On Thursday, March 11, 2021 at approximately 1300 hours I heard officers get dispatched to a warrant call on Grace St. After they got dispatched to the call, Officer Hall asked for a third unit. I checked the call notes and read that the wanted subject was Calvin Wesley Sr. I ran his name in PISTOL and observed that he was currently wanted on an outstanding assault and battery warrant.

I dispatched myself to the warrant based on Wesley's violent history towards the police. Prior to making the approach to 1927 Grace St. I met up with the officers. I explained to the officers that Wesley was extremely violent towards the police and explained to them that they needed to use caution.

In 2018, I attempted to take Wesley into custody based on a warrant and he ran and fought me for approximately five minutes. During this encounter, he had multiple fingers of mine in his mouth, attempted to disarm me, and grabbed my genitals. Both Officer Collins and I had to go to the hospital to get checked after we fought him.

As we approached 1927 Grace St. on foot, I observed Wesley getting into the passenger's seat of a gray Toyota Tacoma. I ran down the sidewalk and made a passenger's side approach on the vehicle. The passenger's side window was down as I ran up to the truck. I had K9 Knox on leash as I ran up to the vehicle. I opened the passenger's side door, I called Calvin by name, advised him to step out of the vehicle because we had a warrant for his arrest.

When he stepped out of the truck he stated, "For what, for what?" Officer Hall and I both advised Wesley to place his hands on the truck. Officer Hall also advised him that we had a warrant for his arrest. Officer Hall continued to give him verbal commands to place his hands on the side of the truck however he did not comply or listen.

When Wesley turned and faced the truck, Officer Bryant took control of Wesley's left arm and Officer Hall attempted to take control of his right arm. Wesley dropped his weight and attempted to pull his weight away from Officer Hall and get back towards the passenger's side area of the truck. Wesley kept repeating that his hands were behind his back however he continued resisting against Officer Bryant and Officer Hall.

As they were actively trying to take him into custody, Officer Bryant was standing on the step rail of the truck. As they were actively trying to place handcuffs on Wesley, he continued to pull his hands towards the front of his body. I advised Wesley two different times if he kept fighting the officers, my dog was going to bite him. Wesley did not comply and he did not listen to the instruction of the officers.

Officer Bryant and Officer Hall were able to get one hand cuff on Wesley's left wrist and then he pushed off of the passenger's side door with his upper body. After they got one handcuff on, Wesley turned his body again, pushing back against them almost striking Officer Hall in the face with his elbow and then Officer Bryant in the face with his left elbow. Officer Mcleod then took control of Wesley's right wrist and Officer Hall assisted Officer Bryant with attempting to pull Wesley's left hand (with the handcuff) behind his back to get both cuffs on. They were unable to get his left hand behind his back. Wesley continued fighting, Officer Mcleod and was able to get his right hand away from behind his back.

Wesley resisted arrest and fought against officers for approximately one minute and ten seconds and we were not able to get handcuffs on him. After Wesley's right arm was no longer under control, I told K9 Knox to engage Wesley. K9 Knox engaged Wesley's right thigh/glute area. After Knox engaged him, Wesley dropped his weight towards the ground and threw his right elbow towards my direction. When Wesley threw his right elbow, it struck me in my right forearm near my bicep and on top of my left hand.

After Wesley assaulted me, K9 Knox took Wesley to the ground. While on the ground, Knox was still engaged with Wesley and Officer Bryant continued to give Wesley verbal commands to place his hands behind his back. Once I

Printed By: JCR, 06/13/2023 10:35 Reporting Officer: REED, S. C. Page 3 R_CS3NC CITY 000500

Case 6:23-cv-00012-NKM-CKM Document 28-3 Filed 12/28/23 Page 4 of 10 Pageid#: 202

CONFIDENTIAL	DEDADTINA AFEIGED NADDATINE			
CONFIDENTIAL	REPORTING OFFICER NARRATIVE	OCA		
Lynchburg Police Department		2021-003502		
Victim	Offense	Date / Time Reported		
REED, S C	ASSAULT/ON POL OFFI	Thu 03/11/2021 15:03		

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believed that Officer Bryant and Officer Hall had Wesley in custody, I told K9 Knox to release from the bite and he did.

The driver of the pickup truck, that Wesley was originally in, was later identified as Bernice Perkins. Perkins asked me what he was wanted for and I advised her that Wesley had an active warrant out for his arrest. She asked me what the warrant was for and I advised her that I was not going to go into detail with her about that.

We called for medics, and they responded to our location. Wesley was transported to the Lynchburg General Hospital. I obtained two warrants on Wesley, felony assault on law enforcement and obstruction. Officer Bryant obtained a misdemeanor warrant for obstruction.

Nothing further at this time.

Reporting Officer: *REED*, *S. C.* Printed By: JCR, 06/13/2023 10:35 Page 4

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Incident Report Suspect List

Lynchburg Police Department

Also Known As BIG MAN Name (Last, First, Middle) Home Address 1 816 GREENFIELD DR - 54 WESLEY, CALVIN LEE Sr LYNCHBURG, VA 24501 **Business Address** 434-229-4966 DOB Race Eth Hgt Wgt Hair Eye Skin Driver's License / State Age Sex 195 509 N BLKВ M BROScars, Marks, Tattoos, or other distinguishing features TAT R FOREARM/BIGGI; TAT L FOREARM/SEXYRED; TAT L FOREARM/CROWN/CROSS; TAT UL ARM/ RED APE; TAT UL ARM / RED DEVIL; TAT R SHOULDER / SCORPIAN; TAT L ARM / GARGOYLE; TAT R ARM / Suspect Age Race Sex Eth Height Weight SSN Reported Suspect Detail Weapon, Type Make Color Feature Model Caliber Dir of Travel Mode of Travel Veh Yr / Make / Model Drs Style Color Lic Plate / State VIN Notes Physical Char

Characteristics, Twin

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OCA: 2021-003502

Case 6:23-cv-00012-NKM-CKM Document 28-3 Filed 12/28/23 Page 6 of 10 Pageid#: 204 CONFIDENTIAL

Incident Report Related Vehicle List

Lynchburg Police Department

OCA: 2021-003502

1	VehYr/Make/Mod	Style PK			Color Lic/Lis GRY VA 202) 1	VIN	4	0		
	IBR Status	i, i unar	<u>u</u>	Date	1 K	I.o.	Location VA 202			. 1		3	<u> </u>
	Noi	ne			1/2021	1	1927 GRAC						
	Condition	alue		Of	fense Code	Jurisdiction		State #		NIC #			
		\$0.00			00	13B Locally							
	Name (Last, First, Middle)						Also Known	As		Home Address			
	P	erkins, l	Bernic	e Louise	?			NEICE		2309 POPLAR ST LYNCHBURG, VA 24504			
	1,1						AS HOME RNE RD, LY	YNCHBURG, VA	434-528-3194				
	DOB Age Race Sex Hgt Wg						Scars, Marks, Tattoos, or other distinguishing features						
		62	В	F	502	240							

Notes

OCA: 2021003502

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Case Status: Cleared By Arrest Offense: ASSAULT/ON POL OFFI

Case Mng Status: NA Occured: 03/11/2021

Investigator: BRYANT, C. C. (112) Date / Time: 03/11/2021 15:07:37, Thursday

Supervisor: SMITH, B. K. (032) Supervisor Review Date / Time: 03/17/2021 08:38:22, Wednesday

Contact: Reference: Incident Modification

On 03/11/21 at approximately 1303hrs, I assisted with a warrant service at 1927 Grace Street for Calvin Wesley Sr.

Upon arriving on scene, a subject was getting into a Toyota truck dark in color that was in front of 1927 Grace Street. See Officer Reed's report for further information on identifying the subject as Calvin Wesley Sr.

Officer S. Reed instructed Wesley to get out of the vehicle. I heard Officer T. Hall tell Wesley "we have a warrant for your arrest." Wesley was told by both Officer S. Reed and Officer T. Hall to place his hands on the truck. Wesley continued to ask what the warrant was for and refused to follow our instructions.

Upon grabbing Wesley's left arm he jerked his arm away from me and began pulling me toward the interior of the vehicle that he had just gotten out of. I placed Wesley in a control hold with his hand behind his back while standing on the running board of the truck. While waiting for another officer to place handcuffs on Wesley he continued to attempt to get his arm free by pulling against me. For a brief period, Officer T. Hall got Wesley's right arm behind his back. While attempting to place Wesley in handcuffs he continued to pull away, tense his arms and did not follow commands. Upon placing a handcuff on Wesley's left wrist he began flailing his elbow in my face and attempt to pull away from me. Wesley continued to actively resist having handcuffs placed on him. Officer Mcleod took control of Wesley's right arm while Officer Hall and I attempted to place a handcuff on Wesley's right wrist. We were not able to do so due to Wesley moving his body in an attempt to prevent handcuffs being place on him. With the assistance of Officer S. Reed and K9 Knox, Wesley was taken to the ground. See Officer S. Reed's report.

Upon Wesley being brought to the ground he only had one handcuff on his left wrist. While Wesley was laying on the ground, I told him several times to give us his hands. A short time later, both hands were placed in handcuffs.

A medic was dispatched to the scene and Lt. B. Smith arrived on scene shortly after.

I sought and obtained a warrant from Magistrate Daniel Baker for 18.2-460 (E) resisting arrest.

OCA: 2021003502

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Case Status: Cleared By Arrest Offense: ASSAULT/ON POL OFFI

Case Mng Status: NA Occured: 03/11/2021

Investigator: *HALL*, *T. A.* (232)

Date / Time: 03/11/2021 16:45:31, Thursday

Supervisor: WHITE, C. M. (069)

Supervisor Review Date / Time: 03/15/2021 09:34:11, Monday

Contact: Reference: Supplement

On March 11th, at 1303 hours, I was dispatched to 1927 Grace St for a warrant.

The property manager, who was a refused caller, called dispatch and stated that Calvin Wesley was on scene at the residence and that the LPD had been to the residence earlier and were looking for him. Dispatch advised that Calvin Wesley Sr had an active warrant for assault and battery against a family or household member. I also saw that Wesley had numerous officer safety alerts and had previously assaulted a police officer. I was one of the two officers dispatched to the call and I requested an additional officer due to Wesley's history and officer safety alerts.

When I arrived in the area, I parked my patrol vehicle on Franklin St and began walking to the residence. At the intersection of Franklin St and Grace St, I saw Wesley get into the passenger seat of a truck that was parked in front of the residence. I ran towards the truck with K9 Officer Reed in front of me and Officer Bryant behind me. Officer Reed made initial contact with Wesley and told Wesley to get out of the truck and that we had a warrant for his arrest. I also told Wesley to exit the truck, that we had a warrant for his arrest and that he was under arrest. Wesley was within reaching distance when I told him this. I told Wesley to place his hands on the truck and he did. Officer Bryant grabbed Wesley's left arm and I grabbed Wesley's right arm. Wesley immediately began to pull away from both Bryant and I. Wesley was placed against the open door of the truck so that we could better control his movements.

I held Wesley`s right arm behind his back and Wesley kept trying to pull his arm around to his front, he nearly hit me my chin with his elbow. I saw that Bryant was also struggling with Wesley`s left arm. I removed my handcuffs from my pouch and cuffed Wesley`s left arm. I held the right-hand cuff and Wesley kept pulling against me. I used my left-hand thumb to manipulate the mastoids on the left side of Wesley`s head which is a DCJS approved tactic to gain compliance. Wesley continued to jerk away from us. Officer Reed warned Wesley two times that if he continued to resist then the dog would bite him. Wesley continued to resist and Officer Reed deployed his K9. Wesley was taken to the ground and we were able to gain control of him and place him into handcuffs. Once Wesley was placed into handcuffs he was on his stomach on the ground so I rolled him onto his side into a recovery position to protect his airway. Medics were called to respond to the scene to check Wesley`s injuries. Wesley was transported to the ER at Lynchburg General Hospital and I rode with the medics in the ambulance. Officer Person relieved me at the hospital and I cleared from the call.

Other officers on scene have also completed supplemental reports.

OCA: 2021003502

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Case Status: Cleared By Arrest Offense: ASSAULT/ON POL OFFI

Case Mng Status: NA Occured: 03/11/2021

Investigator: *PERSON*, *J. R.* (105) Date / Time: 03/11/2021 17:53:18, Thursday

Supervisor: WHITE, C. M. (069) Supervisor Review Date / Time: 03/16/2021 09:18:43, Tuesday

Contact: Reference: Supplement

THIS SUPPLEMENT IS TO DETAIL MY INVOLVEMENT WITH CALVIN WESLEY:

On 3/11/21 I responded with multiple officers to attempt to serve a warrant on Calvin Wesley Sr (OF 1) at 1927 Grace St. We parked our vehicles around the corner of the residence and started walking to the house. I was the last officer in line and I observed multiple officers start running towards a vehicle parked in front of the residence. I could see there was a male around the area of the passenger side entrance of the vehicle.

I ran back to my vehicle in case a pursuit developed. I pulled out behind the vehicle, which was parked in front of 1927 Grace St, and activated my emergency lights.

I could see multiple officers struggling with Calvin Wesley on the passenger side of the vehicle. The passenger side door was open and Wesley was standing in the doorway facing the front of the vehicle struggling with officers. I went over to assist but had no space to go hands on. I heard multiple officers giving commands to Wesley to stop resisting. I moved to the front of the vehicle putting the passenger side door between myself and the struggle. I did not observe the direct action that led to the K9 bite.

After Wesley was taken into custody I went to the ER to sit with him while he got stitches due to the K9 bite.

While at the ER Wesley made the following statements:

When talking about why he resisted Wesley said, "Can't let you all roll up on me like that" and, "Can't let you do that when I don't know what my charge is."

A doctor asked Wesley when the last time he used cocaine. Wesley laughed and said, "You asked that question wrong." The doctor chuckled and said, "Ok, what drug did you take?" Wesley laughed and said, "There you go." Wesley's voice trailed off and I could not hear his response.

Later Wesley said, "A man should have the right to know." Wesley was referring to what he was being arrested for. When talking to a doctor Wesley said, "I tried to turn around on them...." I did not hear the rest of the sentence Wesley said.

Later Wesley said to me, "I heard him say, "You have a warrant.""

At the jail i observed Wesley had pinpoint pupils. Wesley became upset he did not get bond and told me, "You`re lucky I didn`t assault you because I would have dragged your ass." Eventually the jail staff had to ask me to leave because the jail nurse was trying to treat Wesley and he would not stop threatening

OCA: 2021003502

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Case Status: Cleared By Arrest Offense: ASSAULT/ON POL OFFI

Case Mng Status: NA Occured: 03/11/2021

me and trying to get out of his cell to try and fight me.

I have nothing further to report at this time.